

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 3:16-MJ-71175 MAG
)	
Plaintiff,)	[PROPOSED] ORDER OF DETENTION
)	
v.)	
)	
DONALD JASON LIEN,)	
)	
Defendant.)	

On September 7, 2016, Defendant Donald Jason Lien was charged by complaint with one count of possession of child pornography in violation of 18 U.S.C. § 2252(a)(4). Defendant made an initial appearance on September 8, 2016, and on September 12, 2016, the matter came before the Court for a detention hearing. Defendant was present and represented by Gabriela Bischof, Deputy Federal Public Defender. Assistant United States Attorney Michael Maffei appeared for the Government.

Pretrial Services submitted a report that recommended detention, and a representative of Pretrial Services was present at the hearing. The Government moved for detention, and Defendant opposed. Proffers and arguments regarding detention were submitted by the parties at the hearing.

Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on the record, the Court finds that the defendant did not rebut the presumption set forth in 18 U.S.C. §

DETENTION ORDER

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3142(e)(3)(E) that no condition or combination of conditions will reasonably assure the safety of the community, and by a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the Defendant. Accordingly, Defendant is ordered detained pending trial.

This order supplements the Court's findings and order at the detention hearing and serves as written findings of fact and a statement of reasons as required by 18 U.S.C. § 3142(i)(1). As noted on the record, the Court makes the following findings as a basis for its conclusion that no condition or combination of conditions will reasonably assure the safety of the community or the appearance of the Defendant. The record demonstrates that Defendant lacks a stable place to reside while on release pending trial and possesses insufficient ties to the community. All these facts demonstrate that no condition or combination of conditions will reasonably assure the safety of the community or the appearance of the Defendant. These findings are made without prejudice to Defendant's right to seek review of his detention should new information arise.

Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

1. Defendant Donald Jason Lien be, and hereby is, committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.

2. Defendant Lien be afforded reasonable opportunity for private consultation with counsel; and

3. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined shall deliver Defendant Lien to an authorized United States marshal for the purpose of any appearance in connection with a court proceeding.

IT SO ORDERED.

DATED: September 13, 2016


 HON. SALLIE KIM
 United States Magistrate Judge